

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JEREMY ZIELINSKI, TRAVIS HUDSON, BRUCE
MOSES, OSCAR NUNEZ, JEAN MARC DESMARAT,
AND DAVID HAIGH, *on behalf of themselves and all
others similarly situated,*

Plaintiffs,

v.

NEW YORK DEPARTMENT OF CORRECTIONS AND
COMMUNITY SUPERVISION; ACTING
COMMISSIONER DANIEL F. MARTUSCELLO III, *in
his official capacity*; SUPERINTENDENT DAVID
HOWARD, *in his official capacity*; and DEPUTY
SUPERINTENDENT FOR PROGRAM SERVICES
DANIELLE GLEBOCKI, *in her official capacity*

Defendants.

No. 9:24-cv-450 (GTS/CFH)

**REQUEST FOR EMERGENCY
RELIEF**

**[PROPOSED] ORDER GRANTING PLAINTIFFS' EMERGENCY MOTION FOR
INJUNCTIVE RELIEF UNDER FED. R. CIV. P. 65**

The Court, having considered Plaintiffs' Emergency Motion for Injunctive Relief, as well as the Memorandum and Declaration in support thereof, hereby **ORDERS** that the Motion is **GRANTED**. Defendants are **ORDERED** to (A) rescind the March 11, 2024 Lockdown Memo; (B) inform all persons within its control that the Lockdown Memo has been rescinded and that they may congregate and view the eclipse if they articulate sincerely held religious beliefs that observing the eclipse is a part of practicing their religion; (C) allow Plaintiffs and others similarly situated to congregate and observe the eclipse; and (D) provide eclipse glasses to those who are viewing the eclipse, for the limited time in which the eclipse is scheduled to occur at their respective facilities.

